

HOUSE BILL No. 1331

DIGEST OF INTRODUCED BILL

Citations Affected: IC 27-8-31.4; IC 27-13-38-7.

Synopsis: Pharmacy dispensing coverage. Requires a health insurance policy and a health maintenance organization contract that provides coverage for prescription medications to use prorated cost sharing and provide for refill schedule coordination for chronic prescription medications.

Effective: July 1, 2015.

Kirchhofer, Davisson

January 13, 2015, read first time and referred to Committee on Insurance.



First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1331

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 27-8-31.4 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]:

4 **Chapter 31.4. Pharmacy Dispensing**

5 **Sec. 1. As used in this chapter, "covered individual" means an**
6 **individual who is entitled to coverage under a policy of accident**
7 **and sickness insurance.**

8 **Sec. 2. As used in this chapter, "policy of accident and sickness**
9 **insurance" has the meaning set forth in IC 27-8-5-1. The term**
10 **includes only a policy that:**

- 11 (1) is issued on an individual or a group basis; and
12 (2) provides coverage for prescription medications.

13 **Sec. 3. As used in this chapter, "synchronize" means use of a**
14 **pharmacy dispensing process through which a particular**
15 **medication may be dispensed to an individual in a quantity less**



1 than a thirty (30) day supply as a means of coordinating the
2 individual's refill schedule such that all of the individual's
3 medications are refilled at the same time.

4 **Sec. 4. A policy of accident and sickness insurance must provide**
5 **for prorated daily cost sharing for a medication that is dispensed:**

6 (1) by a pharmacy that has entered into an agreement with
7 the insurer under IC 27-8-11-3; and

8 (2) in a quantity less than a thirty (30) day supply;

9 if the provider that prescribes the medication, or the pharmacist
10 dispensing the medication, determines that dispensing the
11 medication in the quantity described in subdivision (2) is in the best
12 interest of the covered individual or to synchronize the covered
13 individual's chronic medications.

14 **Sec. 5. A policy of accident and sickness insurance must provide**
15 **coverage for a medication that is dispensed in a quantity less than**
16 **a thirty (30) day supply in accordance with a plan made among the**
17 **covered individual, the prescribing provider, and the pharmacy to**
18 **synchronize the covered individual's chronic medications.**

19 **Sec. 6. A policy of accident and sickness insurance must provide**
20 **coverage for dispensing fees that is:**

21 (1) not prorated based on the quantity of a medication
22 dispensed; and

23 (2) based on the total number of medications dispensed;

24 in a particular transaction.

25 SECTION 2. IC 27-13-38-7 IS ADDED TO THE INDIANA CODE
26 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
27 1, 2015]: **Sec. 7. (a) This section applies to an individual contract or**
28 **a group contract that provides coverage for prescription**
29 **medications.**

30 (b) As used in this section, "synchronize" means use of a
31 pharmacy dispensing process through which a particular
32 medication may be dispensed to an individual in a quantity less
33 than a thirty (30) day supply as a means of coordinating the
34 individual's refill schedule such that all of the individual's
35 medications are refilled at the same time.

36 (c) An individual contract or a group contract must provide for
37 prorated daily cost sharing for a medication that is dispensed:

38 (1) by a pharmacy that is a participating provider; and

39 (2) in a quantity less than a thirty (30) day supply;

40 if the provider that prescribes the medication, or the pharmacist
41 dispensing the medication, determines that dispensing the
42 medication in the quantity described in subdivision (2) is in the best



1 interest of the enrollee or to synchronize the enrollee's chronic
2 medications.

3 (d) An individual contract or a group contract must provide
4 coverage for a medication that is dispensed in a quantity less than
5 a thirty (30) day supply in accordance with a plan made among the
6 enrollee, the prescribing provider, and the pharmacy to
7 synchronize the enrollee's chronic medications.

8 (e) An individual contract or a group contract must provide
9 coverage for dispensing fees that is:

- 10 (1) not prorated based on the quantity of a medication
11 dispensed; and
12 (2) based on the total number of medications dispensed;
13 in a particular transaction.

